

EXECUTIVE SUMMARY - ENFORCEMENT MATTER Page 1 of 2
DOCKET NO.: 2007-2020-MWD-E **TCEQ ID:** RN102177698 **CASE NO.:** 35119
RESPONDENT NAME: Hooks Mobile Home Park, Ltd.

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input checked="" type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION

SITE WHERE VIOLATION(S) OCCURRED: Hooks Mobile Home Park, located at 12019 Aldine Westfield Road, approximately 1.75 miles south of the intersection of Aldine Mail Road and Aldine Westfield Road and approximately 1.75 miles north of the intersection of Hopper Street and Aldine Westfield Road, Harris County

TYPE OF OPERATION: Wastewater treatment system

SMALL BUSINESS: ☒ Yes ☐ No

OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.

INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.

COMMENTS RECEIVED: The *Texas Register* comment period expired on May 5, 2008. No comments were received.

CONTACTS AND MAILING LIST:
TCEQ Attorney/SEP Coordinator: None
TCEQ Enforcement Coordinator: Mr. Andrew Hunt, Enforcement Division, Enforcement Team 1, MC 169, (512) 239-1203; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171
Respondent: Mr. Larry P. Frith, President of Fresea, Inc., General Partner, Hooks Mobile Home Park, Ltd., P.O. Box 55669, Houston, Texas 77255
Respondent's Attorney: Not represented by counsel on this enforcement matter

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
Type of Investigation: <input type="checkbox"/> Complaint <input type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input checked="" type="checkbox"/> Records Review Date(s) of Complaints Relating to this Case: None Date of Investigation Relating to this Case: October 26, 2007 Date of NOV/NOE Relating to this Case: December 5, 2007 (NOE) Background Facts: This was a routine record review. WATER Failed to comply with the permitted effluent limitations for total ammonia nitrogen [TEX. WATER CODE § 26.121(a), 30 TEX. ADMIN. CODE § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. 12083-001, Effluent Limitations and Monitoring Requirements No. 1].	Total Assessed: \$1,650 Total Deferred: \$330 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay SEP Conditional Offset: \$0 Total Paid to General Revenue: \$1,320 Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor Major Source: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicable Penalty Policy: September 2002	Ordering Provisions: The Order will require the Respondent to, within 60 days after the effective date of this Agreed Order, submit written certification of compliance with the permitted effluent limitations of TPDES Permit No. 12083-001, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations.

Additional ID No(s): WQ0012083001



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision November 6, 2007

TCEQ

DATES	Assigned	10-Dec-2007	Screening	17-Dec-2007	EPA Due	
	PCW	17-Dec-2007				

RESPONDENT/FACILITY INFORMATION

Respondent	Hooks Mobile Home Park, Ltd.		
Reg. Ent. Ref. No.	RN102177698		
Facility/Site Region	12-Houston	Major/Minor Source	Minor

CASE INFORMATION

Enf./Case ID No.	35119	No. of Violations	1	
Docket No.	2007-2020-MWD-E	Order Type	1660	
Media Program(s)	Water Quality	Enf. Coordinator	Andrew Hunt	
Multi-Media		EC's Team	Enforcement Team 1	
Admin. Penalty \$	Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History 65% Enhancement Subtotals 2, 3, & 7

Notes: An enhancement is recommended due to one agreed final enforcement order without a denial of liability, one written NOV with same or similar violations, and seven self-reported effluent violations.

Culpability No 0% Enhancement Subtotal 4

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply 0% Reduction Subtotal 5

	Before NOV	NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with x)

Notes: The Respondent does not meet the good faith criteria.

Total EB Amounts 0% Enhancement* Subtotal 6
 Approx. Cost of Compliance \$733
\$10,000
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 Final Subtotal

OTHER FACTORS AS JUSTICE MAY REQUIRE 0% Adjustment

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty

DEFERRAL 20% Reduction Adjustment

Reduces the Final Assessed Penalty by the indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

Deferral offered for expedited settlement.

PAYABLE PENALTY

Screening Date 17-Dec-2007

Docket No. 2007-2020-MWD-E

PCW

Respondent: Hooks Mobile Home Park, Ltd.

Policy Revision 2 (September 2002)

Case ID No. 35119

PCW Revision November 6, 2007

Reg. Ent. Reference No. RN102177698

Media [Statute] Water Quality

Enf. Coordinator Andrew Hunt

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	8	40%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	1	25%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 65%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance
History
Notes

An enhancement is recommended due to one agreed final enforcement order without a denial of liability, one written NOV with same or similar violations, and seven self-reported effluent violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 65%

Screening Date 17-Dec-2007 Respondent Hooks Mobile Home Park, Ltd. Case ID No. 35119 Reg. Ent. Reference No. RN102177698 Media [Statute] Water Quality Enf. Coordinator Andrew Hunt Violation Number 1 Rule Cite(s) Tex. Water Code § 26.121(a), 30 Tex. Admin. Code § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. 12083-001, Effluent Limitations and Monitoring Requirements No. 1 Violation Description Failed to comply with the permitted effluent limitations, as shown in the attached effluent table.	Docket No. 2007-2020-MWD-E PCW <i>Policy Revision 2 (September 2002)</i> <i>PCW Revision November 6, 2007</i>
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	Base Penalty \$10,000
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>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual			x	
	Potential				Percent 10%

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					Percent 0%

Matrix Notes	A simplified model was used to evaluate ammonia nitrogen to determine whether the discharged amounts of pollutants exceeded levels protective of human health or the environment. As a result of these discharges, human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels protective of human health or environmental receptors.
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	Adjustment \$9,000
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	\$1,000
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Violation Events

Number of Violation Events	1	61	Number of violation days
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mark only one with an x	daily		
	monthly		
	quarterly	x	
	semiannual		
	annual		
	single event		

	Violation Base Penalty \$1,000
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One quarterly event is recommended.	
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Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount \$733	Violation Final Penalty Total \$1,650
This violation Final Assessed Penalty (adjusted for limits) \$1,650	

Economic Benefit Worksheet**Respondent** Hooks Mobile Home Park, Ltd.**Case ID No.** 35119**Reg. Ent. Reference No.** RN102177698**Media** Water Quality**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction	\$10,000	1-May-2007	17-May-2008	1.0	\$35	\$698	\$733
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to evaluate causes of effluent excursions and to rehabilitate the system. Date Required is the first month of non compliance. Final Date is expected date of compliance.

Avoided Costs**ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)**

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs**Approx. Cost of Compliance**

\$10,000

TOTAL

\$733

EFFLUENT VIOLATION TABLE Hooks Mobile Home Park, Ltd. TPDES Permit No. 12083-001 Docket No. 2007-2020-MWD-E		
Months	Total Ammonia Nitrogen Daily ave. conc.	Total Ammonia Nitrogen Daily max conc.
	Limit = 3 mg/L	Limit = 15 mg/L
Outfall 001		
5/31/2007	5	c
6/30/2007	6.38	17.8

conc. = concentration

ave. = average

c = compliant

mg/L = milligrams per Liter

max. = maximum

Compliance History

Customer/Respondent/Owner-Operator:	CN601178585	Hooks Mobile Home Park, Ltd.	Classification: AVERAGE	Rating: 1.43
Regulated Entity:	RN102177698	HOOKS MHP	Classification: AVERAGE	Site Rating: 1.43
ID Number(s):	WASTEWATER	PERMIT	WQ0012083001	
	WASTEWATER	PERMIT	TPDES0078883	
	WASTEWATER	PERMIT	TX0078883	
	WASTEWATER LICENSING	LICENSE	WQ0012083001	
Location:	located at 12019 Aldine Westfield Road, approximately 1.75 miles south of the intersection of Aldine Mail Road and Aldine Westfield Road and approximately 1.75 miles north of the intersection of Hopper Street and Aldine Westfield Road in Harris County, Texas		Rating Date: September 01 07 Repeat Violator: NO	
TCEQ Region:	REGION 12 - HOUSTON			
Date Compliance History Prepared:	December 21, 2007			
Agency Decision Requiring Compliance History:	Enforcement			
Compliance Period:	December 12, 2002 to December 12, 2007			
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History				
Name:	Andrew Hunt	Phone:	512-239-1203	

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership of the site during the compliance period? No
3. If Yes, who is the current owner? N/A
4. If Yes, who was/were the prior owner(s)? N/A
5. When did the change(s) in ownership occur? N/A

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

N/A Effective Date: 08/28/2004 ADMINORDER 2002-0912-MWD-E
Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121

Rqmt Prov: IEL-Outfall1,2 PERMIT
Description: Failure to comply with the permitted effluent limits at Outfall 001 and Outfall 002.

- B. Any criminal convictions of the state of Texas and the federal government.

N/A

- C. Chronic excessive emissions events.

N/A

- D. The approval dates of investigations. (CCEDS Inv. Track. No.)

- 1 12/19/2002 (204560)
- 2 01/24/2003 (204563)
- 3 02/24/2003 (204534)
- 4 03/17/2003 (204537)
- 5 04/22/2003 (204540)
- 6 05/23/2003 (314994)
- 7 06/20/2003 (314995)
- 8 07/16/2003 (314996)
- 9 09/19/2003 (314998)
- 10 09/25/2003 (314997)
- 11 10/22/2003 (314999)

12	11/20/2003	(315000)
13	12/17/2003	(315001)
14	01/26/2004	(315002)
15	02/20/2004	(314992)
16	03/24/2004	(314993)
17	04/22/2004	(360219)
18	05/21/2004	(360220)
19	06/21/2004	(360221)
20	07/01/2004	(276285)
21	07/21/2004	(360222)
22	08/20/2004	(360223)
23	09/09/2004	(292461)
24	09/16/2004	(360224)
25	10/22/2004	(360225)
26	11/23/2004	(386433)
27	12/20/2004	(386434)
28	01/21/2005	(386435)
29	02/18/2005	(386431)
30	03/23/2005	(386432)
31	04/22/2005	(424305)
32	05/19/2005	(424306)
33	06/21/2005	(424307)
34	06/21/2005	(424308)
35	07/22/2005	(445080)
36	09/20/2005	(445082)
37	09/22/2005	(445081)
38	10/21/2005	(476134)
39	11/15/2005	(476135)
40	12/27/2005	(476136)
41	01/19/2006	(476137)
42	02/27/2006	(476132)
43	03/23/2006	(476133)
44	04/24/2006	(503288)
45	05/22/2006	(503289)
46	06/22/2006	(503290)
47	07/24/2006	(525662)
48	08/24/2006	(525663)
49	09/27/2006	(525664)
50	10/20/2006	(585667)
51	11/21/2006	(585668)
52	12/20/2006	(585669)
53	01/22/2007	(585670)
54	02/21/2007	(585662)
55	03/15/2007	(585663)
56	04/20/2007	(585664)
57	05/22/2007	(585665)
58	06/07/2007	(559692)
59	06/20/2007	(585666)
60	12/05/2007	(599231)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date	03/31/2003	(204540)		
Self Report?	YES		Classification	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)			
Description:	Failure to meet the limit for one or more permit parameter			
Date	07/01/2004	(276285)		
Self Report?	NO		Classification	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)			
Rqmt Prov:	PERMIT 12083-001			
Description:	Failure to comply with the single grab permit limits for total suspended solids (TSS).			
Self Report?	NO		Classification	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)			

Rqmt Prov:	PERMIT 12083-001		
Description:	Failure to comply with the permit limits for minimum Total Residual Chlorine (T-CI2).		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(5) 30 TAC Chapter 317 317.2		
Rqmt Prov:	PERMIT 112083-001		
Description:	Failure to properly operate and maintain the collection system.		
Self Report?	NO	Classification	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.127(5)(A)		
Rqmt Prov:	PERMIT 12083-001		
Description:	Failure to properly operate and maintain the waste water treatment plant.		
Date	04/30/2005 (424306)		
Self Report?	YES	Classification	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date	07/31/2005 (445081)		
Self Report?	YES	Classification	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date	09/30/2005 (476134)		
Self Report?	YES	Classification	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date	04/30/2006 (503289)		
Self Report?	YES	Classification	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date	05/31/2007 (585666)		
Self Report?	YES	Classification	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date	06/30/2007		
Self Report?	YES	Classification	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that proper record-keeping is essential for transparency and accountability, particularly in financial matters. The text suggests that organizations should implement robust systems to track every aspect of their operations, from procurement to sales, to ensure that all data is captured and stored securely.

2. The second section focuses on the role of technology in modern record management. It highlights how digital tools and software solutions can significantly enhance the efficiency and accuracy of record-keeping processes. By leveraging automation, organizations can reduce the risk of human error and streamline their workflows, allowing them to focus more on strategic initiatives rather than administrative tasks.

3. The third part of the document addresses the challenges associated with data security and privacy. It notes that as the volume of data increases, the risk of breaches and unauthorized access also grows. Therefore, it is crucial for organizations to adopt strong security protocols, including encryption, access controls, and regular security audits, to protect their sensitive information and maintain compliance with relevant regulations.

4. The fourth section discusses the importance of training and education for staff involved in record management. It argues that even the most advanced technology is only as good as the people using it. Regular training sessions and workshops can help ensure that employees are up-to-date on the latest best practices and security measures, fostering a culture of continuous improvement and vigilance.

5. The final part of the document provides a summary of the key points and offers recommendations for future action. It reiterates the importance of a proactive approach to record management, encouraging organizations to regularly review and update their policies and procedures to adapt to changing requirements and technological advancements.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
HOOKS MOBILE HOME PARK, LTD.
RN102177698**

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**BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2007-2020-MWD-E

I. JURISDICTION AND STIPULATIONS

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Hooks Mobile Home Park, Ltd. ("the Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent appear before the Commission and together stipulate that:

1. The Respondent owns and operates a wastewater treatment system located at 12019 Aldine Westfield Road, approximately 1.75 miles south of the intersection of Aldine Mail Road and Aldine Westfield Road and approximately 1.75 miles north of the intersection of Hopper Street and Aldine Westfield Road in Harris County, Texas (the "Facility").
2. The Respondent has discharged municipal waste into or adjacent to any water in the state under TEX. WATER CODE ch. 26.
3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about December 10, 2007.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

6. An administrative penalty in the amount of One Thousand Six Hundred Fifty Dollars (\$1,650) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid One Thousand Three Hundred Twenty Dollars (\$1,320) of the administrative penalty and Three Hundred Thirty Dollars (\$330) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.
7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Facility, the Respondent is alleged to have failed to comply with the permitted effluent limitations, in violation of TEX. WATER CODE § 26.121(a), 30 TEX. ADMIN. CODE § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. 12083-001, Effluent Limitations and Monitoring Requirements No. 1, as documented during a record review conducted on October 26, 2007, and shown in the following effluent table:

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EFFLUENT VIOLATION TABLE		
Months	Total Ammonia Nitrogen Daily ave. conc.	Total Ammonia Nitrogen Daily max. conc.
	Limit = 3 mg/L	Limit = 15 mg/L
Outfall 001		
5/31/2007	5	c
6/30/2007	6.38	17.8

c = compliant
ave. = average
max. = maximum

mg/L = milligrams per Liter
conc. = concentration

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations, which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Hooks Mobile Home Park, Ltd., Docket No. 2007-2020-MWD-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. It is further ordered that the Respondent shall, within 60 days after the effective date of this Agreed Order, submit written certification of compliance with the permitted effluent limitations of TPDES Permit No. 12083-001, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations.

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Water Section, Manager
Houston Regional Office
Texas Commission on Environmental Quality
5425 Polk Avenue, Suite H
Houston, Texas 77023-1486

3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
7. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

John S. Rollin
For the Executive Director

4/6/2008
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Amy P. Fried
Signature

2/1/08
Date

LARRY P. FRITH
Name (Printed or typed)
Authorized Representative of
Hooks Mobile Home Park, Ltd.

President of Corp. Gen'l Partma
Title
TRUSEA, INC

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

